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*Representing the United States of America*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

**-oOo-**

United States of America,

Plaintiff,

v.

William Waller,

Defendant.

Case No. 2:18-CR-00112-JCM-VCF

**SECOND EVIDENTIARY  
STIPULATION FOR TRIAL**

Defendant William Waller and the United States of America, by and through undersigned counsel, hereby stipulate for purposes of trial as follows:

The parties agree that the following documents meet the foundational requirements described below, obviating the need for either party to call a custodian of documents. The parties reserve the right to object to the admissibility of any of

the documents on other grounds, as well as the right to call witnesses to explain, analyze, and otherwise present any of the documents identified in this filing.

### **Business and Public Records**

In accordance with Federal Rule of Evidence 901(a), each of the documents identified below is what it purports to be, as listed in the “Description” column. In addition, the documents are either business records, or “records of a regularly conducted activity” as defined in FRE 803(6), or public records, as defined in FRE 803(8). Any objection to the admissibility of these documents will not be premised on foundational grounds of authenticity or hearsay.

<b>Exhibit No.</b>	<b>Description</b>
6	T. Bonifatto 2012 Tax Return
7	3-21-06 Notice of Federal Tax Lien
44	Century21 Advantage Gold Quickbook Records
45	First American Title Co. Commission Statement
46	First American Title Escrow Balance
47	First American Title HUD-1
60	Greater Las Vegas Association of Realtors Records of Sales
61	Greater Las Vegas Association of Realtors T Bonifatto
62	Greater Las Vegas Association of Realtors Records Waller
63	Waller Real Estate License
64	GLVAR Buyer Side Data
65	GLVAR List Side Data
158	12-23-14 Notice of Federal Tax Lien
166	11-17-14 Release of Tax Lien
167	11-24-14 Release of Tax Lien
168	11-24-14 Notice of Federal Tax Lien
169	11-25-14 Letter from IRS to Waller re 2003
170	11-25-14 Letter from IRS to Waller re 2004-2009

171	11-25-14 Letter from IRS to Waller re 2003 appeal
172	11-25-14 Letter from IRS to Waller re 2004-2009 appeal
173	1-7-15 Letter from IRS to Waller re CDP Hearing
174	1-15-15 Notice of Federal Tax Lien
177	1-28-15 Letter from IRS to Waller re CDP Hearing
178	2-12-15 Letter from IRS to Waller re CDP Hearing
190	Publication 594 - IRS Collection Process
191	7-9-13 Notice of Examination Report re 2004 to 2009
301	Southwest Gas Records re 1104 Sable (summary)
303	Clark County Property Records (multiple properties)
313	OneNevada Credit Union Records of statement and activity (Lexus)
314	1-05-06 Waller Lexus Lease Application
315	1-5-06 - Waller Lexus Security Agreement
316	2009 Waller Lexus Lease Application
317	6-30-09 Waller Lexus Security Agreement
318	6-20-15 Bonifatto Mercedes Record of Lease Payments
319	6-20-15 Bonifatto Mercedes Lease Agreement
320	6-20-15 Bonifatto Mercedes Lease Application
321	4-21-07 - Bonifatto Mercedes Record of Lease Payments
322	3-13-09 - Bonifatto Mercedes Lease Application
323	3-13-09 - Bonifatto Mercedes Lease Agreement
324	3-13-09 - Bonifatto Mercedes Record of Lease Payments
325	6-20-12 Bonifatto BMW Lease Application
326	6-20-12 Bonifatto BMW Security Agreement
327	6-20-12 Bonifatto BMW additional loan documents

328	Wrich Pools Invoices
329	DirectTV
350	01-cv-1190 D. Nev. Docket
353	8-7-02 Order Dismissing Compl. (01-cv-1190)
354	08-cv-1556 D. Nev. Docket
357	12cv1910 D. Nev. Docket
360	13-mc-68 D. Ariz Docket (Bonifatto)
363	13-cv-4084 D.S.D. Docket
366	13-mc-124 W.D.N.C. Docket (Bonifatto)
369	13cv5705_CD Cal Docket
372	13cv5197_EDPA Docket
375	13cv5196 EDPA Docket (Bonifatto)
408	Bank of America_1
409	Bank of America_2
435	Wells Fargo Records_14
439	Bank of America_6
443	Wells Fargo 0530 Statement for BH LLC
454	Check from C21 6-19-07
459	Wells Fargo Records_16
461a	11-21-12 Check from First American Title

### Other Documents That Are Authentic

In accordance with Federal Rule of Evidence 901(a), each of the documents identified below is what it purports to be, as listed in the “Description” column. Any objection to the admissibility of these documents will not be premised on foundational grounds of authenticity.

Exhibit No.	Description
155	4-19-06 CDP Request re 2003
156	8-22-07 CDP Request re 2003
159	1-27-15 Letter from Waller to SO Freitag
161	1-05-15 Letter from Waller to AO Freitag
162	10-10-08 Letter from Waller to RO Soto
163	9-25-14 Email from Waller to RO Wray
164	8-2-13 CDP Request re 1999-2002

175	3-21-16 Letter from Waller to USAO
176	1-23-15 CDP Request re 1999-2000
180	12-7-16 Letter from Waller IV to SA Watkins
189	3-3-16 Letter from Waller to SA Peng
351	10-12-01 Complaint re CDP
352	4-25-02 Objection to Gov. Mot. Summ. Judg.
355	11-12-08 Petition to Quash (08-cv-1556)
356	1-14-09 Order denying Petition to Quash (08-cv-1556)
358	11-07-12 Petition to Quash (12-cv-1910)
359	5-1-13 Order denying Petition to Quash (12-cv-1910)
361	8-2-13 Petition to Quash (Bonifatto) (13-mc-68)
362	11-15-13 Order denying Petition to Quash (13-mc-68)
364	8-2-13 Petition to Quash (13-cv-4084)
365	11-5-13 Order denying Petition to Quash (13-cv-4084)
367	8-5-13 Petition to Quash (13-mc-124) (Bonifatto)
368	10-30-13 Order denying Petition to Quash (13-mc-124) (Bonifatto)
370	8-7-13 Petition to Quash (13-cv-5705)
371	1-22-14 Order Dismissing Petition to Quash (13-cv-5705)
373	8-6-13 Petition to Quash (13cv5197)
374	11-06-13 Order denying Petition to Quash (13cv5197)
376	8-6-13 Petition to Quash (Bonifatto) (13cv5196)
377	1-28-14 Order denying Petition to Quash (Bonifatto) (13cv5196)

1 **DATED** this 10th day of March, 2019.

2  
3 Respectfully,

4 NICHOLAS A. TRUTANICH  
United States Attorney

5 / s / Christopher Magnani

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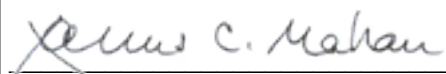
ACTION BY THE COURT

This case is set for jury trial on the stacked calendar on March 11, 2019.

Calendar call was held on March 6.

This pretrial order has been approved by the parties to this action as evidenced by their signatures or the signatures of their attorneys hereon, and the order is hereby entered and will govern the trial of this case. This order may not be amended except by court order and based upon the parties' agreement or to prevent manifest injustice.

DATED: March 11, 2019.



James C. Mahan

UNITED STATES DISTRICT JUDGE